

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CINTHIA THEVENIN, individually, and as wife of
EDSON THEVENIN, Decedent, and as Administratrix of
the Estate of EDSON THEVENIN, and as mother and
natural guardian of Infant N.T. and as mother and natural
guardian of Infant Z.T.,

Plaintiffs,

-against-

THE CITY OF TROY and SERGEANT RANDALL
FRENCH

Defendants.

NOTICE OF MOTION

16-CV-01115

DJS

PLEASE TAKE NOTICE that upon the annexed affirmation of Adrienne J. Kerwin; declaration of Jennifer M. Sommers; the accompanying memorandum of law; and upon all prior proceedings, non-party Jennifer M. Sommers, on November 1, 2018 at 9:30 a.m., or as soon thereafter as counsel can be heard, will make a motion at the United States District Court, Northern District of New York, Albany, New York, pursuant to Rule 45(d)(3) of the Federal Rules of Civil Procedure, for an order (1) granting non-party AAG Jennifer M. Sommers's motion to quash the subpoena served upon in her in this action and (2) granting AAG Sommers any further relief that the court deems just, proper and equitable.

Dated: Albany, New York
September 26, 2018

BARBARA D. UNDERWOOD
Attorney General of the State of New York
Attorney for Non-Party AAG Jennifer M. Sommers
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By: s/ Adrienne J. Kerwin
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